

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICK CHEN,

Plaintiff,

v.

VESYNC CORPORATION,

Defendant.

Case No. [23-cv-04458-TLT](#) (AGT)

DISCOVERY ORDER

Re: Dkt. No. 153

Following the Court's discovery order, *see* dkt. 152, the parties filed a new joint letter today. *See* dkt. 153. Given that the parties need a response by tomorrow, *see id.* at 1, the Court will not summarize the procedural history here and assumes the parties are sufficiently aware of the relevant history around the dispute now being raised.


The issue of whether the depositions of defense experts Colin Weir and R. Vijayakumar may resume can be resolved by the undersigned. The experts' depositions may be reopened. Expert discovery is on-going and has not closed. *See* dkt. 122 (setting close of expert discovery on December 19, 2025). There was an express reservation of time to examine the witnesses. *See* dkt. 148-2 at 240:13–16. Plaintiff Rick Chen does not argue that he objected to the reservations of time. There is no good cause requirement to reopen the depositions under these facts, but if such a requirement is found, good cause has been demonstrated. To prevent an injustice and incomplete record, defendant Vesync Corporation (Levoit) should be able to complete the experts' depositions. *See* Fed. R. Civ. P. 30(d)(1) (noting

that the “court must allow additional time . . . if needed to fairly examine the deponent”).¹

Nothing in this order shall be construed or argued as grounds for relief from the Court’s case management order at dkt. 122, or the pending motion for class certification. *See* dkt. 116. Indeed, the only question the undersigned will answer is that the experts’ depositions shall reopen under the existing case management order. Whether or not the experts’ testimony upon further examination is necessary before Judge Thompson may rule on class certification is entirely up to her.

IT IS SO ORDERED.

Dated: July 31, 2025



Alex G. Tse
United States Magistrate Judge

¹ Levoit intends to file a motion to strike, tomorrow, see dkt. 153 at 2, which may remedy the conflict and affect the relief being sought here. That motion to strike, if there is one, will be resolved by Judge Thompson.